



**Testimony**  
**Elizabeth Gara, Executive Director**  
**Connecticut Water Works Association**  
**Before the**  
**Judiciary Committee**  
**March 26, 2010**

**Re: OPPOSE – SB-491, AN ACT CONCERNING LIENS ON REAL PROPERTY  
RELATED TO TAXES, ASSESSMENTS AND CHARGES.**

The Connecticut Water Works Association (CWWA), a trade association of municipal, regional and private water utilities, opposes SB-491, which will undermine collection of unpaid water charges.

Liens are a very effective tool for collecting unpaid water and sewer charges. Effective debt collection practices help water companies continue to provide customers with safe, adequate supplies of water at reasonable rates. We are therefore concerned that SB-491 undermines the ability of water companies to utilize the lien process to fully collect unpaid water charges from customers.

SB-491 requires a lien certificate establishing the amount due to be filed on the land records for any unpaid water and sewer charges. It further requires that any amounts not reflected in the certificate be discharged.

However, the amount of a customer's unpaid water charges is not fixed because unless water service has been terminated, the water company continues to provide water service. As such, additional monthly or quarterly service charges as well as applicable interest charges continue to accrue. SB-491 would make it difficult to collect these additional charges.

In addition, SB-491 would be problematic because under current law a lien cannot be filed until the charges are 30 days past due. However, the bill requires a lien certificate to be filed on the land records even though the customer still has time to pay the amount due.

SB-491 will also create confusion because town clerks may provide information to parties indicating the amount of the debt reflected on the lien certificate. This will compromise the ability of water companies to collect the full amount due. We do not believe this confusion is avoided by provisions in the bill which provide that the certificate shall indicate whether the amount is not fixed or ascertainable as of the date of the certificate.

*The Connecticut Water Works Association, Inc. (CWWA) is an association of municipal, private and regional water utilities serving more than 500,000 customers, or population of about 2½ million people, located throughout Connecticut.*